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1774  
/ \$  
306.41247X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. EHNERT et al  
Serial No.: 10/069,877  
Filed: June 11, 2002  
For: Carbon-Fibre-Reinforced SMC For Multi-Axially  
Reinforced Components  
Art Unit: 1774  
Examiner: M. Dixon

**REQUEST TO CORRECT INVENTORSHIP UNDER 37 CFR 1.48(a)**

Mail Stop:  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

July 8, 2004

Sir:

Applicants request that the inventorship in the above-identified application be corrected under 37 CFR 1.48(a).

The inventive entity is set forth in error in the Declaration and Power of Attorney filed in this non-provisional application. Such error arose without any deceptive intention on the part of the persons who through error were not named as inventors. Therefore, applicants request that the inventorship be amended to name the actual inventors by adding, in addition to Gerd Ehnert and Klaus Bieniek, Karl-Heinz Ilzhoefer and Jurgen Stieg. Thus, the correct inventive entity is Gerd Ehnert, Kaus Bieniek, Karl-Heinz Ilzhoefer and Jurgen Stieg.

Applicants are submitting herewith a statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his part, a Declaration by the actual inventors as required by 37 CFR 1.63, the

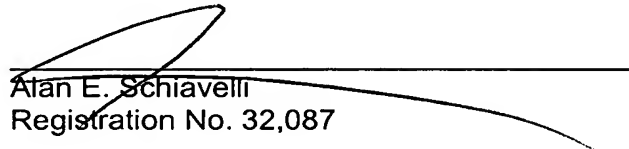
processing fee of \$130.00 as set forth in 37 CFR 1.117(i) and the written consent of the assignees (together with statements under 37 CFR 3.73(b)).

It is requested that the inventorship be corrected.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 306.41247X00), and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Alan E. Schiavelli  
Registration No. 32,087

AES/jla  
(703) 312-6600  
Attachments



306.41247X00

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CONSENT OF ASSIGNEE

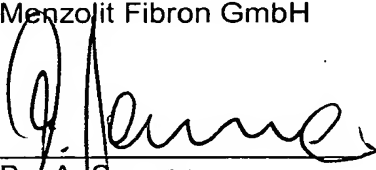
Mail Stop: Application  
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Sir:

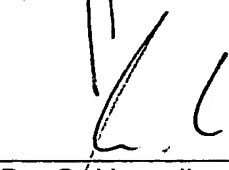
Menzolit Fibron GmbH is the assignee of the originally named inventors, by virtue of, inter alia, the assignment executed by the originally named inventors (Gerd Ehnert and Klaus Bieniek) on June 3 and 5, 2002 and recorded on June 11, 2002 on reel 013145, frame 0314.

Menzolit Fibron GmbH consents to the correction of inventorship to name, in addition to Gerd Ehnert and Klaus Bieniek, Karl-Heinz Ilzhoefer and Jurgen Stieg.

Menzolit Fibron GmbH

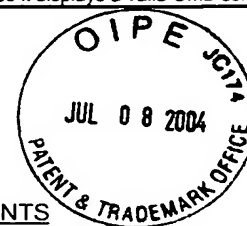
By:   
A. Sonnen

  
Date: 19.03.2004

By:   
G. Heundl

  
Date: 19.3.04

**STATEMENT UNDER 37 CFR 3.73(b)**



Applicant/Patent Owner: EHNERT, GERD

Application No./Patent No.: 10/069,877

Filed/Issue Date: March 1, 2002

Entitled: CARBON-FIBRE-REINFORCED SMC FOR MULTI-AXIALLY REINFORCED COMPONENTS

MENZOLIT-FIBRON GMBH, a

Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest of the originally named inventors; or

2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was \_\_\_\_\_ recorded in the United States Patent and Trademark Office at Reel 013145, Frame 0314, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date

19.03.2004

Date

19.3.04

A. Sonnen

Title: KB

G. Heundl

Title: Personal M.

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



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Art Unit: 1774  
Examiner: M. Dixon

**STATEMENT RE LACK OF DECEPTIVE INTENT**  
**UNDER 37 CFR 1.48(a)(2)**

Mail Stop: Application  
Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The inventive entity set forth in the executed declaration originally submitted in connection with this non-provisional application is in error in that, in addition to Gerd Ehnert and Klaus Bieniek, it did not name Karl-Heinz Ilzhoefer and Jurgen Stieg.

The error in inventorship occurred without deceptive intention on my part.

*Karl-Heinz Ilzhoefer*

Karl-Heinz Ilzhoefer

*23.03.2004*

Date:

Jurgen Stieg

Date:



Attorney's Docket No.: 306.41247X00

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which

is attached hereto.

X was filed on June 11, 2002 as  
United States Application Number 10/069,877  
or PCT International Application Number PCT/EP00/08427  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			<u>Priority Claimed</u>
<u>199 43 442.5</u> (Number)	<u>Germany</u> (Country)	<u>11/09/1999</u> (Day/Month/Year Filed)	<u>X</u> Yes No
<u>199 49 318.9</u> (Number)	<u>Germany</u> (Country)	<u>13/10/1999</u> (Day/Month/Year Filed)	<u>X</u> Yes No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

_____ (Application Number)	_____ Filing Date
_____ (Application Number)	_____ Filing Date

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Number)	_____ Filing Date	_____ (Status -- patented, pending, abandoned)
_____ (Application Number)	_____ Filing Date	_____ (Status -- patented, pending, abandoned)

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Hung H. Bui, Reg. No. 40,415, my attorneys; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, telephone: (703) 312-6600, fax: (703) 312-6666; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send all correspondence to:

CUSTOMER NUMBER: 020457  
ANTONELLI, TERRY, STOUT & KRAUS, LLP  
1300 North Seventeenth Street  
Suite 1800  
Arlington, VA. 22209

Direct all telephone calls and faxes to:

TEL: (703) 312-6600  
FAX: (703) 312-6666

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Gerd EHNERT

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence Vic Fezensac, Germany Citizenship France  
(City, State) (Country)  
Post Office Address Moulin de Beaulieu, 32190 Vic Fezensac, Germany

Full Name of Second/Joint Inventor Klaus BIENIEK

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence Knittlingen-Hohenklingen, Germany Citizenship Germany  
(City, State) (Country)  
Post Office Address Talstrasse 5, D-75438, Knittlingen-Hohenklingen, Germany

Full Name of Third/Joint Inventor Karl-Heinz ILZHOEFER

Inventor's Signature Karl-Heinz Ilzhofer Date 23.03.2004  
Residence Kirchheim/Teck, Germany Citizenship Germany  
(City, State) (Country)  
Post Office Address Schimmingweg 37, 73230 Kirchheim/Teck, Germany

Full Name of Fourth/Joint Inventor Jurgen STIEG

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Wasbüttel, Germany Citizenship Germany  
(City, State) (Country)

Post Office Address Fasenenweg 4, 38553 Wasbüttel, Germany

Full Name of Fifth/Joint Inventor \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)

Post Office Address \_\_\_\_\_

Full Name of Sixth/Joint Inventor \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)

Post Office Address \_\_\_\_\_

Full Name of Seventh/Joint Inventor \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)

Post Office Address \_\_\_\_\_





Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclosure all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by 991.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



306.41247X00

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Art Unit: 1774

Examiner: M. Dixon

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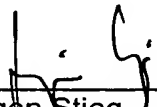
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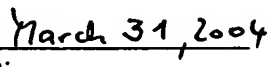
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The error in inventorship occurred without deceptive intention on my part.

\_\_\_\_\_  
Karl-Heinz Ilzhoefer

\_\_\_\_\_  
Date:

  
\_\_\_\_\_  
Jurgen Stieg

  
\_\_\_\_\_  
Date: March 31, 2004



Attorney's Docket No.: 306.41247X00

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

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Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence Vic Fezensac, Germany Citizenship France  
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Post Office Address Moulin de Beaulieu, 32190 Vic Fezensac, Germany

Full Name of Second/Joint Inventor Klaus BIENIEK

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

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Full Name of Fourth/Joint Inventor Jurgen STIEG  
Inventor's Signature [Signature] Date March 31, 2004  
Residence Wasbittel, Germany Citizenship Germany  
(City, State) (Country)  
Post Office Address Fasenenweg 4, 38553 Wasbittel, Germany

Full Name of Fifth/Joint Inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)  
Post Office Address \_\_\_\_\_

Full Name of Sixth/Joint Inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)  
Post Office Address \_\_\_\_\_

Full Name of Seventh/Joint Inventor \_\_\_\_\_  
Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_  
Residence \_\_\_\_\_ Citizenship \_\_\_\_\_  
(City, State) (Country)  
Post Office Address \_\_\_\_\_



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- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;  
or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

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- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
  - (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



Attorney's Docket No.: 306.41247X00

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and country of citizenship are as stated below, next to my name; I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

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or PCT International Application Number PCT/EP00/08427  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	<u>Priority Claimed</u>
<u>199 43 442.5</u> (Number)	<u>Germany</u> (Country)
<u>11/09/1999</u> (Day/Month/Year Filed)	<u>X</u> Yes No
<u>199 49 318.9</u> (Number)	<u>Germany</u> (Country)
<u>13/10/1999</u> (Day/Month/Year Filed)	<u>X</u> Yes No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below

<u>(Application Number)</u>	<u>Filing Date</u>
<u>(Application Number)</u>	<u>Filing Date</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Number)</u>	<u>Filing Date</u>	<u>(Status -- patented, pending, abandoned)</u>
<u>(Application Number)</u>	<u>Filing Date</u>	<u>(Status -- patented, pending, abandoned)</u>

I hereby appoint: Donald R. Antonelli, Reg. No. 20,296; Melvin Kraus, Reg. No. 22,466; William I. Solomon, Reg. No. 28,565; Gregory E. Montone, Reg. No. 28,141; Ronald J. Shore, Reg. No. 28,577; Donald E. Stout, Reg. No. 26,422; Alan E. Schiavelli, Reg. No. 32,087; Carl I. Brundidge, Reg. No. 29,621; Paul J. Skwierawski, Reg. No. 32,173; and Hung H. Bui, Reg. No. 40,415, my attorneys; of ANTONELLI, TERRY, STOUT & KRAUS, LLP with offices located at 1300 North Seventeenth Street, Suite 1800, Arlington, Virginia 22209, telephone: (703) 312-6600, fax: (703) 312-6666; with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Title 37, Code of Federal Regulations, Section 1.56  
Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclosure information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by 991.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
  - (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.
- (b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and
- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;
- or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
    - (i) Opposing an argument of unpatentability relied on by the Office, or
    - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.
- (d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.